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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/512, 968	02/24/00	HEMBREE	D MI22-869

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EXAMINER

NGUYEN, V

ART UNIT

PAPER NUMBER

2858

DATE MAILED: 01/29/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

### ***Office Action Summary***

Application No.	Applicant(s)
09/512,968	HEMBREE, DAVID R.
Examiner	Art Unit
VINH P NGUYEN	2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 07 December 2000.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-13 and 18-26 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-13, 18-26 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

15)  Notice of References Cited (PTO-892)  
16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-5.

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .  
19)  Notice of Informal Patent Application (PTO-152)  
20)  Other: \_\_\_\_\_

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1. Claims 1-13 and 18-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear what “a workpiece holder” represents. Is it shown in any of drawings? In claim 3, it is unclear what “a contact plate” represents. Is it shown in any of drawings? In claim 5, it is unclear what “a chuck” represents. Is it shown in any of drawings? In claim 8, it is unclear what “a calibration workpiece” and “a production workpiece” represent. Are they shown in any of drawings? In claim 10, it is unclear what “a chuck” represents. Is it shown in any of drawings? In claim 12, “the chuck” has not been recited previously, therefore this term is indefinite. In claim 13, it is unclear what “a contact plate” represents. Is it shown in any of drawings? In claim 18, it is unclear what “a workpiece holder” represents. Is it shown in any of drawings? In claim 19, it is unclear what “an electronic workpiece” and “a chuck” represents. Are they shown in any of drawings? In claim 21, it is unclear what “a contact plate” represents. Is it shown in any of drawings? In claim 23, it is unclear what “a calibration workpiece” represents. Is it shown in any of drawings? In claim 25, it is unclear what “a contact plate” represents. Is it shown in any of drawings? In claim 26, it is unclear what “a calibration workpiece” represents. Is it shown in any of drawings?

The dependent claims not specifically address share the same indefiniteness as they depend from rejected base claims.

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2. Claims 1-4,6-7,12 and 18 (insofar as understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Smith (5,475,317).

As to claims 1,4,6,12 and 18, Smith discloses a singulated bare die tester having a workpiece holder or a chuck (4,12) for receiving an electronic workpiece (2) and for supporting an electronic device (2), an electrical coupling (12a) for electrically coupling the electrical coupling (2a) of the electronic device workpiece (2) and communicating signals between the workpiece and the workpiece holder (12). As to claim 2, Smith discloses a burn-in board configured to receive signal. It would have been well-known that this board is equivalent to the data gathering device since it serve the same purpose as the one in the instant application. As to claim 3, Smith discloses a contact plate (4,4a,4b) configured to communicate the signal intermediate the workpiece holder (12) and the data gathering device (14). As to claim 7, it would have been well known in the art that the "workpiece holder" is used as "a chuck".

3. Claims 1-2,4,6-7,12 and 18 (insofar as understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Stillman (Pat # 4,754,555).

As to claims 1-2,6-7,12 and 18, Stillman discloses an apparatus for inspecting the coplanarity of leaded surface mounted electronic components having a workpiece holder or a chuck (20,42,44) for supporting an electronic device (10), electrical coupling (78) for receiving electrical signals within the holder (20,42,44) and for communicating the signals intermediate

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the workpiece holder and the device (10) and lamps (132) & logic circuitry (134) for communicating the signals through the holder (20) ,for sensing a process condition of the device and for generating signals responsive to the sensing . It appears that both the lamps (132) and the logic circuitry (134) would be equivalent to the data gathering device. As to claim 4, Stillman discloses an electrical interconnect (120) configured to electrically couple the first surface and the second surface of the holder (20,42,44).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-20,23-24 and 26 (insofar as understood) rejected under 35 U.S.C. 103(a) as being unpatentable over Stillman (Pat # 4,754,555).

As to claims 19-20,23-24 and 26, Stillman discloses an apparatus for inspecting the coplanarity of leaded surface mounted electronic components having a workpiece holder or a chuck (last plate at the bottom) for supporting an electronic device (10),electrical coupling (76) for receiving electrical signals within the holder (20,42,44) and for communicating the signals intermediate the workpiece holder and the device (10) and lamps (132) & logic circuitry (134) for communicating the signals through the holder (20) ,for sensing a process condition of the device and for generating signals responsive to the sensing ,an intermediate member (20,42,44)

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including an electrical coupling (76) adjacent the first surface of the intermediate member (20,42,44), an electrical coupling (78) adjacent to the second surface of the intermediate member (20,42,44) and electrical interconnect (120) configured to connect the electrical coupling adjacent the first and the electrical coupling adjacent the second surface and an electronic device workpiece (10). It would have been obvious that the type of the electronic device workpiece would have been an obvious design choice since the type of the electronic device would not effect the structure of the processing apparatus. As to claim 20, the lamps (132) & logic circuitry (134) would be equivalent to the data gathering device since it serves the same purpose as the one in the instant application.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is (703) 305-4914.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

  
VINH P. NGUYEN  
PRIMARY EXAMINER  
ART UNIT 2858  
01/26/2001

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